

DOWD, J.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

United States of America,

Plaintiff,

v.

Donna J. Moonda,

Defendant.

)  
) CASE NO. 1:06 CR 395  
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) ORDER  
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On April 2, 2007, past the deadline set by the Court, counsel for the defendant filed a motion for leave to grant the late filing of a notice to introduce expert testimony relating to a mental disease or defect or any other mental condition of the defendant bearing upon the issue of guilt. See Doc. No. 107.

The selection of the jury in this case is scheduled to begin on June 4, 2007, with the goal of commencing the trial on June 18, 2007.

The Court's schedule for the trial in this case affects scheduling of other matters on the Court's docket. To now delay the case because of the late notice of the defendant to introduce testimony as to the defendant's mental condition on the issue of guilt would be irresponsible on the part of the Court.

However, this case is a capital case and, against that background, the Court grants the motion of the defendant for leave to introduce expert testimony as to mental disease or defect or any other mental condition of the defendant bearing upon the issue of guilt. Thus the defendant

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is granted leave until Monday, April 9, 2007, to set forth in detail the nature of the mental disease or defect or any other mental condition of the defendant bearing upon the issue of guilt. Such notice must be explicit enough to allow for a subsequent mental examination of the defendant pursuant to 18 U.S.C. § 4241 or 4242.

In the absence of such notice by the defendant by the deadline of April 9, 2007, the defendant will not be permitted to introduce expert testimony on her mental condition during the guilt phase of this trial.

IT IS SO ORDERED.

April 4, 2007  
Date

s/ David D. Dowd, Jr.  
David D. Dowd, Jr.  
U.S. District Judge